

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

MARTÍN JONATHAN BATALLA
VIDAL, *et al.*,

Plaintiffs,

v.

No. 16-cv-4756 (NGG) (VMS)

PETER T. GAYNOR, *et al.*,

Defendants.¹

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

No. 17-cv-5228 (NGG) (VMS)

DONALD TRUMP, *et al.*,

Defendants.

NOTICE

Further to Defendants' January 14, 2021 Notice, *Batalla Vidal* ECF No. 363, Defendants respectfully notify the Court and the Plaintiffs that, after Defendants' previous notice was filed, the Department of Homeland Security submitted certain Federal Vacancies Reform Act forms to the United States Senate. Those forms are attached to this filing as Exhibit 1.

¹ In both of the above-captioned matters, Acting Secretary of Homeland Security Peter T. Gaynor is automatically substituted as a Defendant for former Acting Secretary of Homeland Security Chad F. Wolf, pursuant to Federal Rule of Civil Procedure 25(d).

Dated: January 19, 2021

Respectfully submitted,

JOHN V. COGHLAN
Deputy Assistant Attorney General

SETH D. DUCHARME
Acting United States Attorney

BRAD P. ROSENBERG
Assistant Branch Director

/s/ Stephen M. Pezzi
GALEN N. THORP
Senior Trial Counsel
STEPHEN M. PEZZI
RACHAEL L. WESTMORELAND
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
Phone: (202) 305-8576
Fax: (202) 616-8470
Email: stephen.pezzi@usdoj.gov

JOSEPH A. MARUTOLLO
Assistant U.S. Attorney
United States Attorney's Office
Eastern District of New York
271-A Cadman Plaza East, 7th Floor
Brooklyn, NY 11201
Phone: (718) 254-6288
Fax: (718) 254-7489
Email: joseph.marutollo@usdoj.gov

Attorneys for Defendants